

# HOW'NI'KAN

## PEOPLE OF THE FIRE

Vol. 13, No. 7

Citizen Band Potawatomi Tribe

July, 1991



*The Viet Nam Era Veterans Color Guard Led The Grand Entry Each Night Of The Pow Wow, Which Emphasized A Patriotic Theme*

## Tribe enjoys peaceful election, biggest and best pow wow

Hazel Rhodd Williamson of Konawa was elected to the Citizen Band Potawatomi Tribe's Grievance Committee Saturday, June 29, defeating incumbent Gene Bruno of Oklahoma City.

Williamson polled 198 absentee votes and 60 live votes for a total of 258. Bruno drew 146 absentee votes and 55 live votes for a total of 201. Re-elected unopposed were Hilton Melot to the Business Committee and Jo Ann Johnson and Jerry Paul Motley to the Grievance Commit-

tee.

Voters approved the tribe's referendum budget 395 to 70. A total of 470 absentee ballots were cast and 117 voted in person. A portion of the new budget will be used to complete work on the Friends Mission Church, with the rest going to normal maintenance and improvements of grounds and other ongoing expenses.

The election results were announced by Election Committee chairman Gary Bourbonnais at the beginning of the tribe's

annual general council Saturday afternoon, one of the earliest election reports in the history of the tribe. Chairman John A. Barrett noted later in the general council meeting that

Williamson's victory was especially notable because she has been a tribal member "less than two years." He explained that she was on the Sac & Fox roll until she learned she could not enroll her grandchildren in that tribe.

In a change from past years, almost all the tribal members

attending this year's general council were from out of town. Only a handful raised their hands when Barrett asked how many were from the Shawnee area.

Business conducted at the general council included reports by the tribal attorney, who reported on the tribe's latest victory over the Oklahoma Tax Commission (see separate story); by Dennis Jett, president of First Oklahoma Bank, of which the tribe owns controlling interest; and by Jim Denton of the tribe's

auditing firm, who reported that Potawatomi assets total \$13.5 million while debt is \$1.4 million. "You're in very good financial position," he concluded.

Tribal chairman John A. "Rocky" Barrett noted that the tribe is four years ahead of its payment schedule on the bank purchase. Barrett also accepted from nationally-known sculptor Denny Haskew a bust of Haskew's grandmother, the late Bertha Self. The sculpture, titled

Please turn to page 16

## Fire Lake named one of state's 10 most interesting golf courses

The Citizen Band Potawatomi Tribe's Fire Lake Golf Course is one of ten "best bets for the state's public golfers, according to a story on the front page of the sports section of the June 30 Sunday Oklahoma.

Staff writer Mac Bentley explained that "we went looking for the interesting and unusual in public golf courses" in preparing the story. He added the ten weren't necessarily the 10 best, "although several of them would certainly make such a list" (Fire Lake is consistently listed among the top ten public courses in the state).

"They're sure bets to provide public golfers an experience outside his usual municipal fare," Bentley said. A common denominator he uncovered was Don Sechrest, who designed several of the courses on the list.

"Then there is Fire Lake in Shawnee," the article reads, "a Pottawatomie-owned course that has a definite Florida flavor. Set in the lowlands, it has water everywhere — ponds, lakes, creeks and canals." Among the color photographs illustrating the story is one of Fire Lake's 17th hole, "a 352-yard par-4 featuring a green surrounded on three sides by water. Architect Don Sechrest calls it a natural."

### Tribal member still in Middle East, another one is back home

Chief Petty Officer Eddy R. Strong, a tribal member, is still serving his country in the Middle East, according to his family. He has been in Bahrain for several months and will be there for another year. He has signed up for a second hitch.

And Stephen Negahnquet is finally home from the Middle East. Although stationed in North Carolina, he was back in Oklahoma in early July to visit his mother, Lyda Negahnquet of Macomb, and other family members and friends.

Our thoughts and prayers remain with the men and women who still serve in the Persian Gulf. And the HowNiKan will be

happy to print news of them. Just send information to Mary Farrell at tribal headquarters.

### Thomas Reece earns top honors at Ardmore High School

Dartmouth University is the next stop for an outstanding young Potawatomi who recently completed a very successful high school career.

Thomas Reece, son of Sandy and Freddie D. Reece of Ardmore, Okla., was valedictorian of his graduating class at Ardmore High School where he was also vice president of the Student Council, an FCA officer, member of the Oklahoma Honor Society, National Honor Society, and Oklahoma Indian Student Honor Society.

Other honors included serving as secretary of the Latin Club and winning the Cum Laude State Latin Award. He was Academic Bowl captain, Mu Alpha Theta president and Debate Club sergeant-at-arms. There is also a long list of other academic honors, including Oklahoma Academic All-State finalist.

In addition, he is an outstanding athlete. Named Outstanding Male Athlete at his high school, he was also an academic All-Stater in both basketball and football and was named as a High School Scholar Athlete. He also won the Big Heart Award at the athletic awards program. He was a starting tight end and defensive tackle in football, attaining All-State honorable mention and all-district offensive lineman of the year.

As a basketball player, he was starting center and named most valuable player in two tournaments, was honorable mention for All-State and was named to both the all-region squad and Southern Conference all-star first team.

Reece attends First United Methodist Church and plans to major in civil engineering at Dartmouth. His hobbies are water skiing, snow skiing and other



Tribal Chairman John Barrett leads Business Committee members in a Grand Entry at the 1991 Pow Wow (the young dancer ahead of him is not a tribal official).

### athletics.

A note from his grandfather, James A. Thomas of Ada, proudly states that Brett "was top student in his class every year" and adds that Brett's younger brother Cody, also a tribal member, is an honor student in the ninth grade.

### Donations to the HowNiKan

Glenn LaZelli, \$20  
Hallie Willmett, TX - \$25  
Esther F. Adams, KS - \$10  
Marcelle D. Power, OK - \$20  
Dorothy Vilven, KS - \$10  
Marguerite Patterson, TN - \$5

## Walking On

### Mildred Louise Peltier Schimmel Beagles

Mildred Louise Peltier Schimmel Beagles, 77, Shawnee, died Saturday, June 29, 1991, in a local hospital.

Services were held Monday, July 1, 1991, at Resthaven Funeral Chapel with Norman Kiker officiating. Burial was in Resthaven Memorial Park.

Mrs. Beagles was born May 2, 1914, in Shawnee to Mr. and Mrs. Oliver A. Peltier. She attended and graduated from Shawnee schools. She worked at Independence Manor Nursing Home until retirement. She married Raymond Beagles July 9, 1970. She was a Baptist.

Survivors include three daughters and a son-in-law, Mildred and Harold Henry, Coffeyville, Okla.; Phyllis Treat and Janice Degriffenreid, both of Broken Arrow; four sons and a daughter-in-law, Richard Schimmel, Ocheeta, Okla.; Gerald Schimmel, Shawnee; Robert Schimmel, Skiatook; Dennis and Crystal Schimmel, Shawnee; two sisters, Kathleen Kiker, Shawnee; Willa Lou Snowey, Paulsbo, Wash.; two brothers, Oliver T. Peltier, MacMinville, Ore.; Kenneth E. Peltier Sr., Shawnee; and several nieces and nephews.

## State 'thrown back' in latest attack on tribe, editorial says

(Editorial reprinted with permission from *The Shawnee Sun*, July 5, 1991) — The Oklahoma Tax Commission marched up the hill and got thrown back down it again in its latest battle with the Citizen Band Potawatomi Tribe. It's enough to make one wonder how long the commission intends to continue spending public money stirring up cases it has almost no chance of winning. It's an expensive process for everyone concerned and is accomplishing nothing beyond lining the pockets of the lawyers and eating up valuable court time.

In the immediate case at hand, the Tax Commission sought to impose state jurisdiction over sale of 3.2 percent beer at the Tribal Store on Gordon Cooper and at Fire Lake Golf Course. Relying on a California case in which the U.S. Supreme Court said the state has a clear interest in controlling the sale of liquor on Indian land, the commission demanded that the tribe obtain state permits. When the tribe predictably refused, the commission ordered its suppliers not to do business with the store and golf course. The tribe went to court.

The problem is that under Oklahoma law, 3.2 beer is not an intoxicating beverage. It even says that in the Oklahoma Constitution. The commission wanted to have its brew and drink it too by asking the court to declare the state definition "a

misnomer." The judge said the legislative and constitutional definition is unambiguous and he couldn't change it. Only the legislature and the people of Oklahoma may do that.

Under those circumstances, the commission had absolutely no chance of prevailing. But it charged ahead anyway, running up legal costs for both the taxpayers and the Indian tribe. Since this happens so often, the Indians claim there is a pattern of harassment. They have a point and they are paying dearly and regularly

### Tribal member in dispute with Prairie Band

The Prairie Band Potawatomi Tribe recently used heavy equipment to block entry to a business on the reservation because the business refused to pay taxes. A bulldozer and a backhoe were used by tribe members to pull a drainage ditch from the entrance to the business and dig a 3-foot trench across it.

The Tribal Council contends the owner of the Indian Country General Store owes \$80,000 in taxes and has refused to pay. The taxes should have been assessed on gas and cigarettes sold at the store, tribe officials said. The tribe has sent several letters to the owner, Kathy Kaul, but she has ignored them, according to tribal officials.

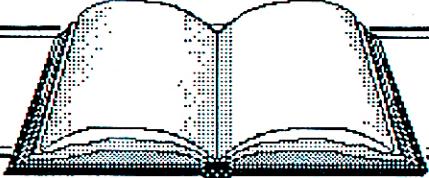
Ms. Kaul, owner of the General Store, said the tribe has assessed as 12-cent tax on a gallon of gas and an 80-cent tax on a carton of cigarettes. She said her mark-up on a gallon of gas was only two cents and that she couldn't afford to pay the tax.

"I am a non-tribal member on the reservation," said Ms. Kaul, a member of the Citizen Band Potawatomi of Oklahoma. "The tribe has nothing to do with this business."

Tribe treasurer Gary Mitchell disagreed, saying the tribe had a legal right to tax businesses within the reservation boundaries.

Ms. Kaul's business had been the only one on the reservation that has refused to pay taxes, Mitchell said. Two other businesses, including one owned by Ms. Kaul's brother, have been paying taxes, he said.

— Associated Press



## For the record...

### Business Committee Minutes May 30, 1991

Present: Chairman John A. Barrett, Vice-Chairman Linda Capps, Secretary Treasurer Bob Davis, Committeeman Hilton Melot, Accounting Director Carolyn Sullivan, Grievance Committee members, Jerry Motley, Gene Bruno, Tribal Rolls Director Mary Farrell, CHR Director Joyce Abel, Maintenance Director Bob Dunning, Guests, William Slavin, George Slavin and Sybil Slavin. Committeeman Francia Levier absent.

Chairman Barrett called the meeting to order at 6:30 p.m. Bob Davis moved to approve the minutes of February 26, 1991; Linda Capps seconded. Passed 4 in favor, 0 opposed and 1 absent.

Meeting recessed at 6:35 p.m. and convened as Tax Commission.

Business Committee reconvened at 6:37 p.m.

Hilton Melot moved to approve Resolution #91-60 pertaining to a blood degree appeal filed by William L. Slavin, Sr. showing his grandmother to be Theresa Wasectikimokime and not Theresa Livingston as determined by the Bureau of Indian Affairs in 1981 and increasing her blood degree to 4/4 Potawatomi instead of 1/2. All descendants of James and Theresa Slavin will also have their blood degrees changed; Bob Davis seconded. Passed 4 in favor, 0 opposed and 1 absent.

Hilton Melot moved to approve the best bid of \$24,160 by B&B Builders for the tenants building to be built on the Hardesty Road property to the immediate east of the existing Health Services facility; Bob Davis seconded. Passed 4 in favor, 0 opposed and 1 absent.

The Business Committee authorized Bob Dunning to hire people to get the Mission Church in the dry before General Council and PowWow.

Bob Davis moved to approve Resolution #91-61 requesting secretarial approval of a General Council Contract between Attorney Michael Minnis and Associates and the Citizen Band Potawatomi Indian Tribe of Oklahoma; Hilton Melot seconded. Passed 4 in favor, 0 opposed, 1 absent.

Hilton Melot moved to approve Resolution #91-62 authorizing the Indian Action Center Consortium to contract services from Indian Health Service, Oklahoma City Area Office and administer such programs as the Indian Action Center Alcohol and Drug Treatment Program; Linda Capps seconded. Passed 4 in favor, 0 opposed, 1 absent.

A proposed resolution pertaining to relinquishment of a minor by the father was denied. It is the position of the Business Committee that it would take the consent of both natural parents before relinquishment would be considered. Passed 4 in favor, 0 opposed, 1 absent.

Bob Davis moved to approve Resolution #91-63 enrolling 24 descendants; John Barrett seconded. Passed 4 in favor, 0 opposed, 1 absent.

Hilton Melot moved to approve Resolution #91-64 enrolling 24 descendants; Linda Capps seconded. Passed 4 in favor, 0 opposed, 1 absent.

Linda Capps moved to approve Resolution #91-65 enrolling 26 descendants; Hilton Melot seconded. Passed 4 in favor, 0 opposed, 1 absent.

Bob Davis moved to approve Resolution #91-66 enrolling 25 descendants; Linda Capps seconded. Passed 4 in favor, 0 opposed, 1 absent.

Hilton Melot moved to approve Resolution #91-67 enrolling 24 descendants; John Barrett seconded. Passed 4 in favor, 0 opposed, 1 absent.

Bob Davis moved to approve Resolution #91-68 enrolling 26 descendants; Hilton Melot seconded. Passed 4 in favor, 0 opposed, 1 absent.

John Barrett moved to approve Resolution #91-69 enrolling 26 descendants; Linda Capps seconded. Passed 4 in favor, 0 opposed, 1 absent.

Hilton Melot moved to approve Resolution #91-70 enrolling 27 descendants; Bob Davis seconded. Passed 4 in favor, 0 opposed, 1 absent.

Linda Capps moved to approve Resolution #91-71 enrolling 25 descendants; Bob Davis seconded. Passed 4 in favor, 0 opposed, 1 absent.

Linda Capps moved to approve Resolution #91-72 enrolling 21 descendants; Bob Davis seconded. Passed 4 in favor, 0 opposed, 1 absent.

Bob Davis moved to approve Resolution #91-73 enrolling 23 applicants eligible for enrollment under previous blood quantum guidelines; John Barrett seconded. Passed 4 in favor, 0 opposed, 1 absent.

Business Committee recessed at 10:05 and reconvened as Tax Commission.

Business Committee reconvened at 10:10 p.m. and went into Executive Session.

Business Committee adjourned at 10:30 p.m.

John A. Barrett, Re., Chairman  
Bob F. Davis, Secretary/Treasurer

### A Potawatomi welcome to these new members



Abella, Michael C.  
Bangs, Amber Dawn  
Bourassa, Star Grant  
Bourlon, Cortney Reneé  
Castaneda Jr., Comingo  
Vicenti  
Chaudhari, Sanjaykuman  
Baldevbhai  
Chaudhari, Sara Misty  
Chipman, Pamela Reneé  
Coots, Casey D.  
Coykendall, April Dawn  
Coykendall, Katie Renee  
Coykendall, Kimberlee  
Ann  
Coykendall, Tabitha Diane  
Coykendall, Tammy Diane

Behrens  
Crawford, Kellie Lee  
Crawford, Krystal Dawn  
Crawford, Kyle Decker  
Dike, Cateche Tatum  
Dover, Darci Pauline  
Dye, Jennifer Lea  
Fogle, Shelly Lynn Smith  
Gaylord, Gary Bruce  
Hazelton, Charles Thomas  
Helberg, Gary Lon  
Helberg, Greg Lane  
Helm, Jayme Dawn Peck  
Higbee, Rachel Leigh  
Ivey, Nathan Derek  
Jager, Katie Noel Aus  
Jager, Michael John Aus

Keven Lance Crawford  
King, Victoria Marie  
Hernandez  
Kramer, Tammie Lynnette  
Scott  
LaRue, Lex Oral  
LaRue, Lori Layne  
LaRue, Nichole Kay  
Matick, Kerry Michael  
Matick, LeRoy John  
Matick, Nathan Patrick  
Mitchell, Jacqueline Renee  
Mitchell, Natalie Dawn  
Pierson, Pamela Rae  
Reynolds, Rachael Leann  
Rowley, Lyndee Lee Cline  
Scharlow Jr., Michael Paul

Sigmon, Heaven Lee  
Slavens III, Jimmie Lee  
Slavens, Candi Lee  
Slavens, Eric Lee  
Slawson, Ronald Wayne  
Smith, Andrew Warren  
Smith, Taylor Scot  
Spencer, Andrew William  
Thompson, Jody Brian  
Tinnin, Jaime Lynn  
Villa, Alan Glenn  
Villa, Samuel David  
Warne, Skyler Jerome  
Wheeler, Luther Glen  
Williams, David Wayne  
Williams, John Wesley  
Williams Jr., Randell Leon

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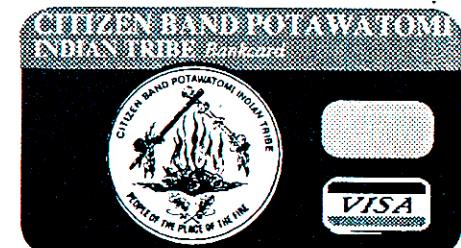
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## Memorial to be built at Sugar Creek

**EDITOR**

HowNiKan:

I would appreciate your publishing this letter in the next issue so that all of our people might know about the wonderful developments at Sugar Creek, Kansas, where our ancestors settled shortly after having been forced marched to Kansas from Indiana in 1838. I visited the area last fall and was greatly surprised to discover the work that has been accomplished and I'm sure that many of our people would like to visit there also.

In Rome on July 3, 1988, a French woman and member of the Society of the Sacred Heart, Rose Philippine Duchesne, was canonized a saint of the Roman Catholic Church. St. Philippine worked with our ancestors at Sugar Creek from July 9, 1841 until the spring of 1842 when she was sent back to the convent at St. Charles, Missouri, because of failing health.

For many years, a Catholic group in Kansas and Missouri has been working to build a memorial to St. Philippine at Sugar Creek. The park has been named "St. Philippine Duchesne Memorial Park" and is located near the present town of Mound City in Linn County, Kansas.

Memorials honoring our people have also been constructed. The old spring is identified, there is a memorial where the history of the Trail of Death is recorded, crosses have been erected in the area where the graves of our ancestors are thought to be. Plaques are attached to the crosses listing the names of over 600 Potawatomies known to have been buried there between 1839 and 1849 by the Jesuit fathers who cared for them.

The 450-acre park is open to the public and is meant to be a place of relaxation and a place of history. According to Bob White of Overland Park, Kansas: "We hope something spiritual happens here. We've seen people come together, work, donate their time. Now others can come and sit here like it was in the days of the Indians."

For more information contact: Linn County Historical Society, Pleasanton, Kansas, Sacred Heart Church, Mound City, Kansas. Rev. Robert Pool, St. Philip Neri Church, Osawatomie, Kansas.

Sincerely yours,  
Helen Christine Depel

## BIA police officer sworn in

**EDITOR**

HowNiKan:

Brian Downing is a member of your tribe. This article is a copy from the Chickasaw Times, May 1991.

He is the son of tribal member Avis G. Gowning and the late Leon C. Downing.

Hope you will print an article about his appointment through the Dept. of Interior, BIA.

If you want more information, contact Zane Browning or his secretary at the BIA in Ada.

Brian and Susan Downing  
Tishomingo, OK

On Monday, May 6, 1991, the first of three Bureau of Indian Affairs (BIA) police officers was sworn into office. Zane Browning, Superintendent of the Chickasaw Agency, in Ada, Oklahoma, read the oath of office to Mr. Brian Downing.

The BIA police will be temporarily based out of the Ada BIA office until the permanent site office is completed on the east side of the BIA building.

The new officers territory of protection and law enforcement will be Indian Country. Indian Country is defined as land held in trust and restricted lands. There are approximately 80,000 acres of Indian Country inside the boundaries of the Chickasaw Nation. The acreage is divided into many parcels rather than one large area. The Chickasaw Nation boundaries encompass 11½ counties.

The BIA police will work in cooperation with various city, county and state law enforcement agencies. Working together, these agencies will provide Indian citizens with the protection that has been lacking due to jurisdictional disputes.

Zane Browning said, "We have waited long and anxiously to get our police officers on board. We are very excited about this program because we can now provide protection for the Indian people."

Before being hired, the BIA police officers must undergo two extensive back-ground checks. One investigation is completed by the BIA and the other by the Office of Policy Management.

Brian Downing is a member of the Citizen Band Pottawatomi tribe. He has been a Tishomingo police officer for over five years.

Downing, his wife and three children reside in the Tishomingo area.

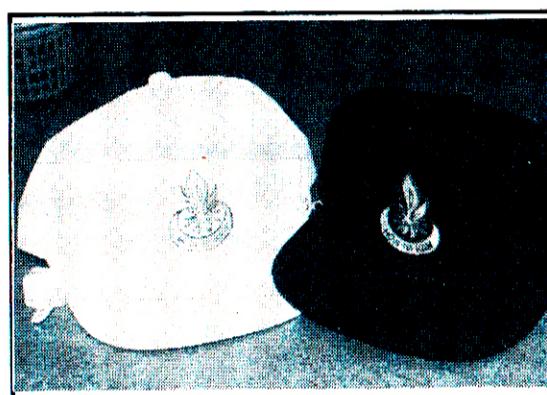


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## NATIONAL NEWS

# Sacred ringing rock a rare natural phenomenon

(From, *The Lakota Times*, June 12, 1991)

When Catherine Saubel, a 70-year-old Cahuilla Indian, stood before the 2 by 3-foot granite rock, she was emotionally overwhelmed.

"I was awe-struck just being in its presence. I visualized what it must have been like when prehistoric medicine men played ancient songs on the rock before large gatherings of people. This rock is very sacred to the Indians," Ms. Saubel said.

The curator of the Malki Museum on the Morongo Reservation near Banning for the last 26 years, Ms. Saubel has known about the so-called "ringing rocks" all of her life. But this was the first time she had ever seen or heard one.

Struck gently with a small rock, the granite boulder chimes like a bell. When it is struck in several places or with various-sized small rocks, different tones are heard.

Scholars believe the ringing rocks were the central focus of elaborate cultural ceremonies in

prehistoric times.

Riverside County officials hope to use this one as the centerpiece of a park or American Indian cultural center.

"This sacred rock is a cultural treasure. It must be preserved not just for Indians but for everyone," Ms. Saubel said. "It has to be protected with a fence or whatever it takes to prevent it from being damaged or destroyed by vandals."

The rock is in Riverside County's rapidly developing Menifee Valley, about 75 miles southeast of downtown Los Angeles. Its exact location is a closely held secret because of the fear of theft or vandalism.

Diana Seider, 35, an anthropologist and county parks historian, called the melodious boulder "an extremely rare natural phenomenon."

Its existence has been known for many years, but efforts to protect it began when development edged closer to the site. In November the county bought the surrounding 20-acre parcel of land.

"The big problem now is how to protect the rock," Ms. Seider said.

"At some point in the future it would be great if a Native American individual or family could live on the site to guard the rock and to interpret it to visitors who came to the park to see and hear the rock's amazing sounds."

Experts believe the rock's special characteristics are the

result of the way it is positioned and balanced on a giant boulder. There is considerable air space beneath the ringing rock.

Research indicates that during prehistoric times, the ringing rock of Menifee Valley was part of a small community—a main village surrounded by six satellite villages.

"Clusters of granite, last

remnants of the villages, are covered with prehistoric rock art primarily of geometric designs," Ms. Seider said.

The ringing rock contains a large, deep circular indentation embraced by six smaller circular indentations. Their meaning is one of many mysteries relating to the importance of the strange rocks in prehistoric cultures.

## King new assistant director of George Gustav Heye Center Smithsonian Institution's National Museum

Duane Harold King has been appointed to the position of assistant director for the George Gustav Heye Center of the Smithsonian Institution's National Museum of the American Indian. According to W. Richard West Jr., director of the museum, King is responsible for administering and supervising the day-to-day activities of the museum staff and facilities in New York City. The museum, currently located at 155th and Broadway, with a research annex in the Bronx, will be relocated to the U.S. Custom House by late 1992.

King, 43, is an experienced museum administrator who, for more than a decade, directed museums for the eastern and western Cherokees. Most recently, he served as executive director of the Friends of Sequoyah Foundation

of the Eastern Band of Cherokee Indians, and for three years was executive director of the Middle Oregon Indian Historical Society, Confederated Tribes of the Warm Springs Reservation in Warm Springs, Oregon.

Since 1976, King has edited the *Journal of Cherokee Studies*. From 1975 to 1982, he served as director of the Museum of the Cherokee Indian in Cherokee, N.C., and was executive director from 1982 to 1987 of the Cherokee National Historical Society, Tahlequah, Oklahoma.

In addition, King has held a number of advisory positions including secretary of the board of trustees of the Institute of American Indian and Alaska Native Culture and Arts Development in Santa Fe, N.M., and consultant to the Cherokee Na-

tion of Oklahoma.

King graduated from the University of Tennessee in Knoxville in 1969 with a bachelor's degree in anthropology. He received a master's degree in 1972 and a doctorate in 1975 from the University of Georgia in Athens. From 1968 through 1974, King did linguistic field work on the Cherokee language in North Carolina and archaeological field work on 18th-century Cherokee sites in Tennessee.

He is the author of more than 40 scholarly publications on various aspects of American Indian culture and history. He also has participated in the production of seven informational and documentary films and videos as either a writer, editor or consultant.

## Lawrence Indian Arts Show set for September

Two nationally recognized authorities on American Indian art will judge entries in the third annual Lawrence Indian Arts Show juried competition at the University of Kansas Museum of Anthropology during August.

The public show and sale of works entered in the competition will be September 14 to October 27.

James Luna, counselor and instructor in American Indian Studies at Palomar College, San Marcos, Calif., will judge both two- and three-dimensional modern art entered in the competition. JoAllyn Archambault, director of American Indian Programs at the National Museum of Natural History at the Smithsonian Institution, Washington, D.C., will judge traditional art.

Luna has received many awards and has had his work exhibited in California, New York, Arizona, Georgia and Washington, D.C. He is vice chairman of the California Indian Education Association, chairman of the American Indian Education Council of the California Department of Education and board member of the Centro Cultural de La Raza

in San Diego. He is a member of the Luiseno-Diegueño tribes.

Archambault's research centers on American Indians in urban and reservation communities and include such Indian groups as the Zuni, Sisseton Dakota, Umatilla, Oglala Lakota, Hupa and Arapaho and Shoshone. She provides technical assistance to Indian museum, archives and other types of cultural projects and has staged exhibitions on contemporary and traditional American Indian arts.

Two \$1,500 Best of Show awards will be given, one in two-dimensional and one in three-dimensional art. In addition, up to 14 \$300 Merit Awards will be presented. American Indian artists from throughout the country are invited to enter the juried competition.

The juried show and sale is one of six events scheduled for the third annual Indian Arts Show.

During the show's opening weekend, September 14 and 15, an Indian market will be held at Haskell Indian Junior College. The market is open to American Indian artists who would like to sell their work from booths.

Other events will be a retro-

spective exhibition of the works of Uanktonai Sioux artist Oscar Howe at Haskell Sept. 14 to Oct. 27, a series of three weekend workshops by American Indian artists made possible through a grant from the Metropolitan Life Foundation, an exhibition of recent works by the workshop artists Sept. 14 to Oct. 20 at the Lawrence Arts Center and a performance of American Indian flute music by R. Carlos Nakai Sept. 20 at Haskell auditorium, presented by the KU Concert, Chamber Music and New Directions series.

For additional information, write or call Maria S. Martin, coordinator, Lawrence Indian Arts Show, Museum of Anthropology, University of Kansas, Lawrence, KS 66045, (913) 864-4245.

### Child Welfare Handbook 1991 Edition available

The Oklahoma Indian Legal Services, Inc. Indian Child Welfare Act Handbook 1991 Edition is now available at the cost of \$10 per handbook. Send your request to the Oklahoma Indian Legal Services, Inc. 3033 N. Walnut, Suite 103W, Oklahoma City, Oklahoma 73105.

## McKeag appointed to national Indian Gaming Commission, 30-day comment period complete

April 1 completed the 30-day comment period for public comment on Interior Secretary Manuel Lujan's appointment of Jana McKeag to the National Indian Gaming Commission.

Lujan earlier announced his intention to name the enrolled member of the Cherokee Nation of Oklahoma as the third member of the commission which will regulate, establish standards for, and monitor gaming on Indian lands and reservations.

"Jana McKeag has done outstanding work in Indian Affairs both inside and outside of government for well over a decade," Lujan said. "She was instrumental in the early drafting of Indian gaming legislation prepared by the Department of the Interior. She feels that the Indian gaming industry has significant potential for providing capital to tribes for economic development and she believes that effective and timely regulations are vital to the continued success of the Indian gaming industry."

Tony Hope, named last year by President Bush and confirmed by the U.S. Senate, serves as chairman of the commission. Under the Act, the Secretary of the Interior names the other two members of the Commission, but must allow for a comment period after announcing the choice. Last October, Lujan announced the appointment of Joel Frank as the

# Tribes in Oklahoma...

## Indian artists honored at Red Earth, artists nationwide participate

A painter and jeweler took the top honors at the Art Preview Awards of Red Earth '91.

Held in Oklahoma City, Red Earth is the world's largest Native American celebration. This is the fifth year for the festival, which draws some 200 Native American artists nationwide.

During the festival's art awards presentation June 6, painter Tillier Wesley was awarded the grand award for his work, "Kingfisher Man." And Jeweler Mitchell Zephier was presented the president's award for "Shields of Our Grandfather."

Painter Cecil Dick was named as Red Earth's 1991 Honored One. Respected as the premier traditional painter of the Cherokee People, Dick, whose Indian Name is Da-go-dah-ga (One who stands alone), was presented the Sequoyah Medal in 1983. He is only the third recipient in the 150-year history of the medal, the highest honor conferred by the Cherokee nation.

Other art winners, listed by category, are:

**BASKETS:** First and second place, Elissie B. John, Elton, LA,

"Sewing Basket" and "Storage Basket;" third place, Maggie Alberta, "Cherokee Buckbrush;" and honorable mention, Sharron Ahtone Harjo, Oklahoma City, "Teddy Jam With Young."

**CULTURAL ITEMS AND ATTIRE:** First place, Jerry Ingram, "Crow Horse Collar;" second place, Nanaba Aragon, "Navajo Rug;" third place, Paul Hacker, "Wind in His Face;" and honorable mention, Marcus Amerman, Portland, Ore., "Red Shirt."

**DRAWING:** First place, K. Henderson, Muskogee, "Rath's Blackhawk;" second place, Mike Larsen, Oklahoma City, "The Dark;" third place, Jeannie Barbour, "Punchi Eho;" and honorable mention, Nelson Tsosie, "Walk in Beauty."

**JEWELRY:** First place, Mitchell Zephier, "Shields of Our Grandfathers;" second place, Herbert Taylor, "Vei Ceremonial Design; third place, Jake Livingston, Gallup, N.M., "Sun Face;" and honorable mention, Nelson Garcia, "Gold Necklace Earrings and Bracelet."

**PAINTING:** First place, Tillier Wesley, "Kingfisher Man;"

second place, Donald Vann, "Spirit Vision;" third place, Baje Whitethorne, "Front the East With Seven Songs;" and honorable mention, Gary Montgomery, "Silence of the Wolves."

**PRINTMAKING:** First place, Benjamin Buffalo, Seiling, Okla., "Cheyenne in the Moon;" second place, Linda Lomahastewa, "Star Hunter;" third place, Dan Lomahastewa, "summer Beginning One;" and honorable mention, Linda Lomahastewa, "Cloud Maidens."

**POTTERY:** First place, Roberta Wallace, Norman, "Woodpecker's Territory;" second place, Rose Pecos, "Storyteller Under Sunny Skies;" third place, Pahponee, Leon, PA, "Beginnings;" and honorable mention, Bill Glass Jr., Locust Grove, "Above and Below."

**SCULPTURE:** First place, Tim Shay, "Native American Ambassador;" second place, Bill Prokopiof, Santa Fe, N.M., "Heads or Tails;" third place, Sherman Chaddleson, Anadarko, "Song of Power;" and honorable mention, Jane Osti, "Anna, A Vision Restored."

### American Indian impact found in book

The impact of Native American cultures on modern poetry, especially on 20th-century attitudes toward form, nature, place and person, are explored in a new paperback book published by the University of Oklahoma Press.

"Interpreting the Indian: Twentieth-Century Poets and the Native American" by Michael Castro, with a foreword by Maurice Kenny, has been called the first book to describe American Indian influences on many of the significant writers of this century.

At the same time, it opens up broader cultural issues, such as 20th-century Americans' yearning for models of a more holistic awareness and a rooted relationship to American nature and place.

In discussing the impact of Native American cultures on modern poetry, Castro examines the work of early interpreters of Indian literature, including Mary Austin, Lew Sarett and John Neihardt. He also looks at the work of such modern writers as Vachel Lindsay, Hart Crane, William Carlos Williams and Charles Olson.

The final chapters discuss contemporary writers Jerome Rothenberg and Gary Snyder and the "uprising of Indian writers" during the 1970s.

Howard Schwartz of the University of Missouri at St. Louis called Castro's work "the most important book in its field and a landmark of modern literary criticism."

Castro, a poet and editor, teaches at Landerwood College in St. Louis. He received his master's and doctoral degrees from Washington University.

Kenny, a nationally known Mohawk poet and educator, has several books of poems in print, including "The Mama Poems," for which he won the American Book Award. He currently is a visiting associate professor of English at OU.

## Brewer attends seminar, visits our nation's capitol

Deborah Brewer, a junior at East Central University, has returned from a 10-day "Women as Leaders" seminar held in Washington, D.C., May 19-29, sponsored by the Washington center in the nation's capitol.

The seminar earned her two college credit hours at E.C.U.

She was one of only 45 women accepted out of the hundreds of nationwide applicants.

Workshops and site visits made up the agenda. Among the Washington sites and memorials, the Korean War Memorial was moved most by the Vietnam Memorial and the silence that surrounded the wall as people walked by.

On Sunday night the National Symphony gave a concert on Capitol Hill in honor of Memorial Day. She noted she was very impressed to see and hear "Storm Norman."

Memorial Day was spent at Arlington National Cemetery in which she attended the service at the Tomb of the Unknown Soldier and the amphitheater program where Vice-President Dan Quayle, along with other Washington dignitaries, spoke. The U.S. Air Force Band played several selections.

Among the site visits was to the Islamic Center in which they were told of the culture of the Middle East. They saw the Republican National Committee building, the Department of Labor offices, World Net offices and the U.S. Court of Appeals.

where she sat in on two cases.

At each workshop location a different women speaker talked to the group concerning roles that women play in our society and at the workplace and how they obtained their positions.

She noted she met Rep. Bill Brewster and his wife, Susan, while Sen. Nickles and Sen. Boren were both busy on the Senate floor.

She was assigned one day in Fairfax, Virginia with her mentor, Susan Martin Stubbs because of her interest in counseling. Ms. Stubbs is special assistant to the Provost at George Mason University. The day's events included learning about her organizational structure, cultural diversity, and leadership styles and philosophies. Deborah termed it very interesting and rewarding.

A reception at the National Federation of Business and Professional Women's club was attended, along with a fund raiser on behalf of Rep. David Nagle, Iowa, where she met Sen. Tom Harkins of Iowa.

Deborah expressed her appreciation to Lou Watkins for her interest and help, along with others of the E.C.U. Government Department, and to Dan and Mildred Khouri of Konawa, and Ms. Norma DeLona of Delona and Associates, for their cash contributions that, along with the scholarship she received from the Washington Center, made it possible for her to attend.

## Mutual help homes pay off

It was confirmed by the Department of Housing and Urban Development recently that twelve homes were paid off by homebuyers of the Absentee Shawnee Housing Authority. Mutual Help Homes in Jones, Konawa, McLoud, Shawnee and Wellston were paid off and warranty deeds were issued by The Housing Authority to those families. In cases where the house was on trust land, the leases held were released rather than warranty deeds being issued.

When contacted at The Absentee Shawnee Housing Authority Office, Wayne Sims, executive director stated, "I congratulate all the mutual help homebuyers who paid off their home recently. This is what the mutual help program is all about, Indian people owning their own home. I've heard people say in the past these homes will never pay off. Well, this just goes to show you they do. I wish all of these new homebuyers the best for the future."

## Harris wins fancy dance competition at 1991 Red Earth Festival

Fancy Dancer R.G. Harris, Sac and Fox/Ponca from Stroud, OK captured two awards Sunday night in the men's fancy dance competitions at the 1991 Red Earth Festival. Harris, a past Red Earth Champion, won first place in the men's fancy dance category and received a cash award of \$1,250. In the "Champion of Champions" Winner-Take-All category (competition limited to 1st and 2nd place men's fancy dance winners of the 4 previous

Red Earth Festivals), R.G. won the \$500 cash award and the 1991 Red Earth champion jacket. Judging for the men's fancy dance category is based on knowledge of songs and accurately stopping at the end of each song. Dancers must have the ability to create footwork and body movement that is in rhythm with the drum.

R.G. Harris travels throughout the United States and Canada competing in various dance

## Anadarko looking for children? Indian Education find project

During the 1991 summer months, the Anadarko Area Division of Indian Education Exceptional Child Find Project will be taking referrals, seeking and giving information for handicapped Indian children, ages birth to 21 years, who are not receiving needed special education and related services.

The Anadarko Area Division of Indian Education Exceptional Child Find Project will be providing information for public awareness concerning P.L. 94-142, the Education for the Handicapped Act, as well as state and federal programs for handicapped Indian children from birth

Support Your HowNiKan!



## "POTAWATOMI DAYS"

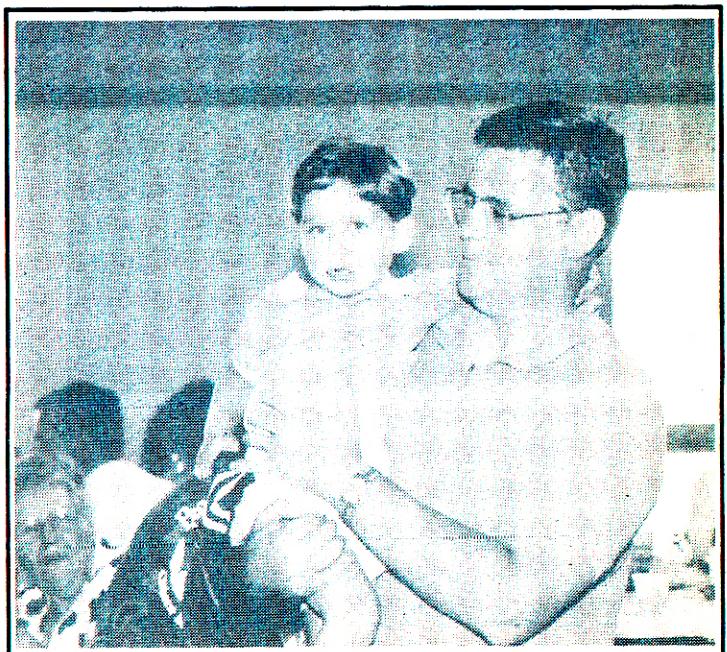
June 28 - 30, 1991



Chairman John Barrett poses proudly with Potawatomi sculptor Denny Haskew and his mother Jo, following Haskew's presentation of his sculpture of his late grandmother, Bertha Self to the tribe. It is titled "Trail of Prayers."



Oldest and wisest Potawatomi present for General Council was Fannie Long, 86. Chairman John Barrett presented her with a set of mugs.



The youngest tribal member present for General Council was Joshua Dorries, 3. He was presented with a satin jacket by Chairman John Barrett.



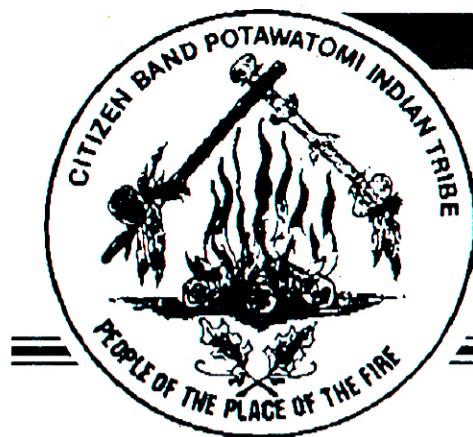
Traveling farthest to attend the General Council and Pow Wow was William Graves of Norway and his family. Chairman Barrett gave them a suncatcher.



Judge Lawrence Wahpepah swore in Grievance Committee members J.P. Mottez and Hazel Rhold Williamson and Business Committee member Hilton Melot following council



Orval Kirk honors the Vietnam Era Veterans Color Guard



**POTAWATOMI**

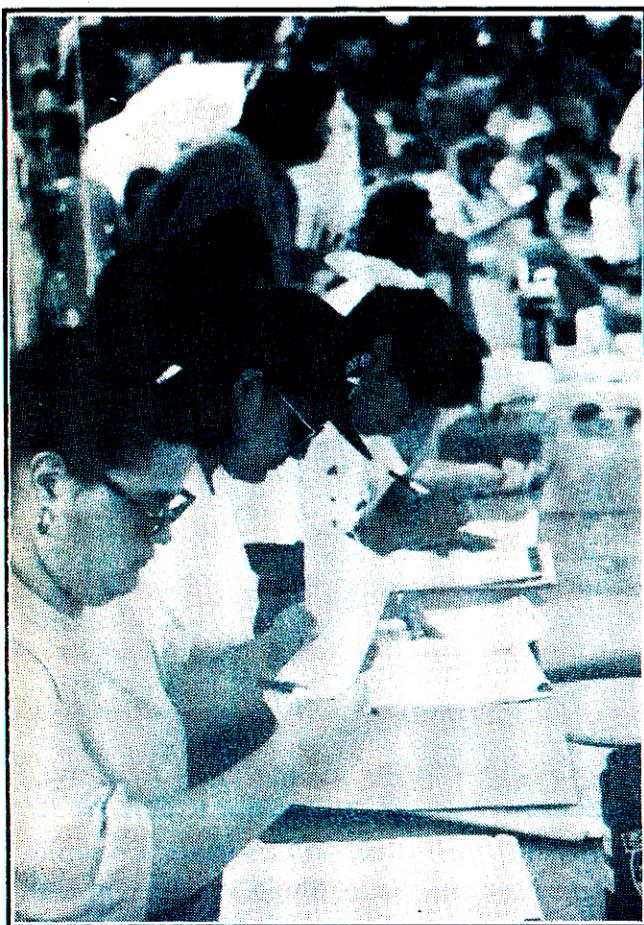
**June**



Pow Wow Coordinator Orval Kirk is honored by the Business Committee.



George Godfrey  
Oak Grove, Illinois



Pow Wow workers keep track of contestants



Tribal officials march in grand entry.

# ITOMI DAYS

3 - 30, 1991



Chairman John Barrett honors tribal princess Debbie Whiteman with a Pendleton blanket.



Head Man Dancer Doyle Rodrick and Head Lady Dancer Laura Sigwig lead Grand Entry.



A Polynesian dance exhibition by Linda Delacroix, part Indian and part Hawaiian, stupified the Cozad Family drum.



Linda Delacroix's Hawaiian dance was a big hit at the Pow Wow Sunday Night.



Host Northern Drum, Blackbird



Host Southern Drum, the Cozad Family

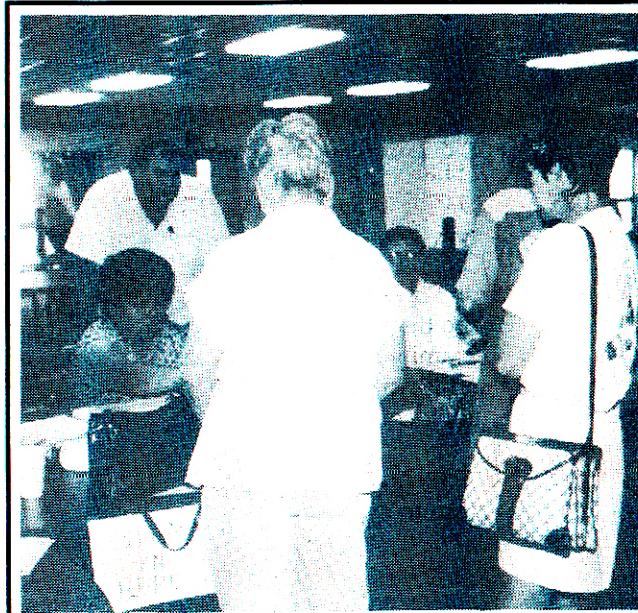


Rosie Lewis, a Choctaw from Mississippi, demonstrated basket weaving in the museum.



## "POTAWATOMI DAYS"

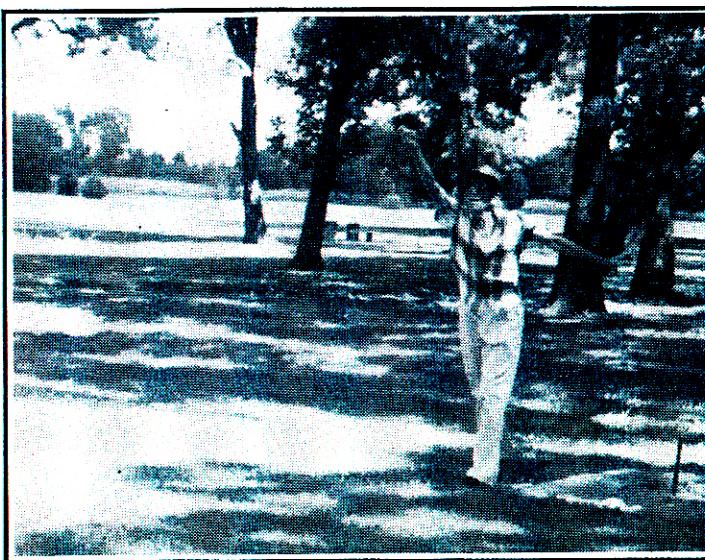
June 28 - 30, 1991



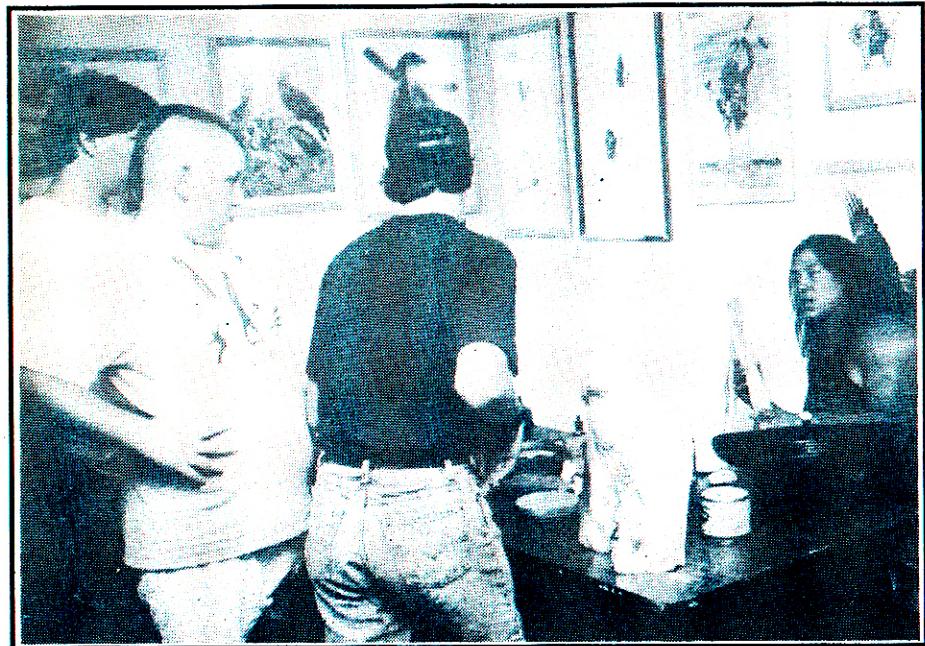
Esther Lowden, Gary Bourbannais, and Norman Kiker of the Election Commission supervised on-site voting Saturday.



Demonstrating jewelry making in the museum was Mark Silver of New York.



Hubert Spalding of Kansas City was among finalists in horseshoe contest.



Seneca Ojohwa artist Stonehorse Lone of New York entranced youngsters with demonstrations and storytelling.



Horseshoe Competition Winners, left to right: Sammy Billy, first; Doc Greenwood, second; and Darrah Komacheet, third.

## A message from the chaplain...

by Rev. Norman W. Kiker

The Potawatomi Pow Wow and Sunday Worship Services were a tremendous success this year. Sunday morning at 10 a.m. an excellent traditional talk was presented by Chairman John Barrett.

The presentation, along with a worship service and Celebration of Holy Eucharist, was planned in remembrance of Margarie Neddeau, a much loved and respected tribal member and elder of our Potawatomi Tribe.

We were greatly honored to have many members of Margarie's family present at the services. Among those present were Browning and Sharon Pipestem, daughter of Marg, and Margarie's sister, Mrs. Ruth Navarre.

A beautiful Pendleton blanket was given by Sharon Pipestem in honor of her mother. I wish to thank Sharon and each member of the family for their participation in the worship services and a special thank you for their concern for Indian ways.

During the presentation on tradition, as Chairman Barrett began to explain the prayer use of tobacco, cedar, sage and sweetgrass, the church area, congregation, clergy and altar area were being cleansed through the prayerful burning of these God-given substances in a very Indian way.

This year fr. Barney Jackson from the Episcopal Diocese of Oklahoma celebrated the mass with the assistance of Rev. Michael Smith, who has just recently been ordained to the transitional Diaconate and will be a priest within the next six months. Rev. Smith is also a member of the Potawatomi Tribe.

I was honored to be a presenter at his ordination and will be looking forward to having Mike contribute to our worship

situation whenever possible. By the way, fr. Jackson is also a member of the Cherokee Tribe.

My sincere thanks go to both of them and I wish to welcome them back wherever they can return.

This is our second year under a tent and it has been very enjoyable. Last year we had an excellent worship service with 70 people in attendance. This year I was nervous and in a great hurry to set out the chairs and I happened to say, I wonder if we should put all the chairs out or not, after all there may not be more than 70 or 80 people show up this year, there were

only 70 last year. I was immediately met with the following answer from a young Indian lady that I work with. She said, "You must put them all out and the Lord will fill them."

I guess prophecy comes in varying ways, because before long 125 chairs weren't enough and next we were borrowing lawn chairs and then people were sitting on the grass. There were 135 worshippers at our last count. I'm glad I listened; she was right.

I wish to thank you all for your support of this spiritual work. I hope to hear from you and hopefully we will see each other either at our monthly worship services or at the powwow and church service next year.

If anyone should wish to contact me please write: Citizen Band Potawatomi Tribe, 1901 S. Gordon Cooper Drive, Shawnee, OK 74801 - Attn. Norman Kiker, or phone 405/275-3121.

## Worship services scheduled

Potawatomi Mission Worship Services will be held at the Potawatomi Title VI Senior Citizens facility, located approximately one quarter mile east of Hardesty's store on Hardesty Road. Just travel east until you cross the railroad tracks, the building sits on the south side of the road. Services are held in the east end of the building. Schedule of Services:

- August 4, 10:30 a.m.
- September 1, 10:30 a.m.
- October 6, 10:30 a.m.
- November 3, 10:30 a.m.
- December 1, 10:30 a.m.

Everyone is welcome.

A pot luck dinner follows our services, so bring your favorite food and get acquainted. For more information, call Tribal Chaplain Norman Kiker at 275-5321 during the weekdays.

## More names of people with incorrect address...

The following names are a continuation of the list of names for which the BIA has no current address. If you are currently receiving the HowNiKan, we have your address.

Nadeau, Kendall Brent

Nail, Jenifer Jane

Nance, Felix Arthur III

Navarre, Lafayette P.

Neal, Frances Beatrice

Neal, Joseph Anthony

Neal, Ursula Anne

Neale, David Edwin

Nearn, Sharon Elaine

Neash, Jeanette Leigh

Needham, Charles Hearst

Negahnquet, Deanna Denice

Nelms, Carol Theta

Nelson, Barbara Ann

Newell, Sedrick Wayne

Nickels, Joe Charley

Nicorvo, Montra Charlyne

Niles, Michael David

Nocktonick, Albert L.

Nocktonick, Gregory Todd

Nocktonick, Ronald Kay

Nocktonick, Tava Lea

Northcross, Dennis Wade

Norvelle, Richard Allen

Nourie, Donald Ray

Nute, Donald Eugene

Nutt, Deborah K.

Nuzum, Don Leroy

O'Bryant, Mark Phillip

Oden, Lorretta May

Odom, Kathy D.

Ogee, Lindon A.

Olsen, Richard E.

Osborn, Sherry Lee

Osburn, David Allen

Osburn, William Wayne Jr.

Osen, Pamela Gale

Osterloh, Clarence L. III

Otey, Alma J.

Pahmahmie, Johnny Lee

Pahmahmie, Linda Sue

Pallesen, Tonia Michele

Palmer, Emma Lucille

Pambogo, Karla Michelle

Papazian, Pamella I.

Pappan, Donna S.

Pappan, Linda Sue

Pappas, Alex William

Parker, Pamela J.

Parkes, Judy D.

Partin, Toni Susan

Parton, Weldon Clint

Paslay, Kenneth W.

Paslay, Mark W.

Passmore, William Lee

Patrick, Dwayne Lyn

Patton, John L.

Paul, Vivian Elizabeth

Paxson, Clinton Dale

Payne, Colleen

Pearce, George Earl

Pearman, Barbara J.

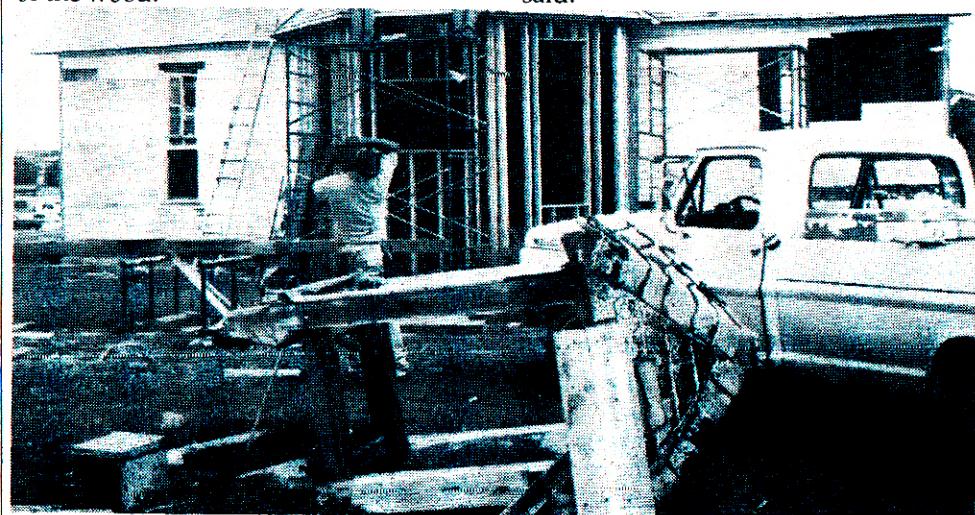
## Restoration of Friends Mission church underway

Once the work is completed, Kiker has big plans for the church. "Our plans are to have regular worship services in the old mission church when it's completed,"

Kiker said. He hopes that the church can be refurbished with church pews already on hand as well as others that might be obtained. Pews and other appropriate items "as close to the age of the church as possible" are being sought, he said.

Anyone who knows of such items is asked to contact the chaplain at tribal headquarters.

"It is my hope that the church will have new life and will not become strictly a historical object sitting on a hill," Kiker said.



The old bell tower removed



Construction on new bell tower

# ST. MARYS

*By Father Maurice Gailland*

1875

January 2:

From the twenty-fourth of December, 1874, up until the second of January, 1875, our students did not go home, but they made use of the games in the college and were recreated by the literary stage plays.

January 20:

O'Farrell, the helper, died in our house; while dying he gave a farm to his Reverence, Bishop Fink, for orphans, and the rest, around \$400.00, he bestowed on us.

January 28:

Reverend Father Driessen, the minister begins his eight-day retreat.

February 3:

Mr. Mireau came here from Leavenworth to set up the pews in the new church.

February 14:

We moved from the old church to the new stone church today. We still had Mass in the old church at six and eight o'clock A.M. There was a procession to the new church, led by the priest carrying the Holy Eucharist; a huge crowd accompanied him and Solemn High Mass was celebrated.<sup>223</sup>

February 22:

As usual we celebrated Washington's birthday. At four o'clock the students held a literary contest in the museum to the great satisfaction of all.

March 17:

The great feast of St. Patrick. At ten-thirty A.M. there was a procession from the town to the church led by musicians. There was a Solemn High Mass. At seven P.M. there was a public banquet, our college students speaking, singing and debating before the members of the college.

March 25:

Holy Thursday. College students began the three-day Spiritual Exercises under Father Francis Xavier Kuppens in the parish church. They assist with the office of the week.<sup>224</sup>

March 28:

The Feast of Easter. The novice brother, Norman Abel, took his simple vows. At five A.M. the boarders finished the retreat. At six A.M. in the domestic chapel, also at ten-thirty A.M. in the church there was a Solemn High Mass.

April 3:

Father Gailland begins his retreat.

April 22:

The boys who are boarding with us, who will receive their first Holy Communion and will be confirmed, began their triduum, the three days retreat. At the same time there was a retreat for the girls in the convent of the Sisters of the Sacred Heart.

April 25:

Bishop Louis Fink confirmed forty-two.

May:

There are May devotions at seven-thirty P.M.

May 8:

Father Van der Bergh begins his eight-day retreat.

May 16:

By the order of Reverend Bishop Louis Fink prayers and exorcisms against the locusts which are devouring the harvests were commenced.

May 17:

Reverend Father Kuppens went to Leavenworth to preach three times in the cathedral on the occasion of the beginning of the jubilee.<sup>225</sup>

May 23:

Today on the feast of the Blessed Trinity

it was announced that a solemn procession of all the people of the town of St. Marys would be held on the twenty-seventh of the month, the Feast of Corpus Christi, to avert the calamity of the locusts which are threatening us on all sides. These pestiferous animals are at the Osage Mission and Wyandotte, and are destroying all the crops and even the grass.

May 24:  
We began the triduum for the Renovation of vows.

May 27:  
The Feast of Corpus Christi. Renovation of vows. Solemn High Mass at nine A.M. At ten o'clock the procession began and lasted until three-fifteen. Two hundred conveyances took part in the procession.<sup>226</sup>

May 30—June 1:  
In these days the locusts have not done much damage, but a great number appeared in the pasture and cornfields and began to invade (the grounds) of the Sisters of the Sacred Heart. Thus far there is no damage. Most of the locusts have reached the half-way stage in their life and have no wings yet. The little pests that the common people call potato bugs are devouring the leaves on the potatoes. In order to avert this imminent calamity we began a novena in honor of the Sacred Heart.

June 3:  
The locusts began to eat the wheat. Father Provincial, Thomas O'Neil, arrived from the Osage Mission.

June 4:  
Around Alma the locusts have devoured everything.<sup>227</sup> A big rain on the feast of the Sacred Heart.

June 7:  
Reverend Father Provincial left. The locusts are doing a little damage to our corn. They are not in the fields belonging to Reno, Sweeny, Reding, Lynch, Lamphin, Nagle, Ward, and Green.<sup>228</sup>

June 11, 12, 13, 14, 15:  
The locusts are going northward. They did not do much damage to us or to many of ours.

June 16:  
The Feast of Saint John Francis Regis. Today is the bicentennial of the apparition of the Sacred heart of Jesus to Blessed Margaret Mary, and the thirtieth year of the pontificate of Pius IX. All of us and our flock were consecrated to the Sacred Heart as directed by Pius IX. We had a solemn High Mass at nine o'clock. There were nearly three hundred Holy Communions.

June 23:  
The distribution of prizes took place in the convent of the Sacred Heart.

June 24:  
The same in the college.

June 25:  
The students returning home are accompanied by two of the scholastics and Father Rector.<sup>229</sup> We are cutting the grain.

July 16:  
Today the Sisters of the Sacred Heart begin their eight-day retreat under Father Rimmole. The grain and oats are being cut. Best of weather.

July 21:  
Father Henry Schaspman, after giving a retreat to the Sisters of the Sacred Heart in St. Joseph, paid us a visit.<sup>230</sup>

July 22:  
The coadjutor brothers begin their eight-day retreat. Points are given by Father Kuppens.

## Diary Of The Potawatome Mission Of St. Marys On The Lake

July 30:  
Father Francis Xavier Tehan arrived here.

August 2:  
Father F. Tehan left.

August 4:  
Bishop Louis Fink visited us. Left on the fifth of August.

August 15:  
Today James and Patrick Kehoe, temporal coadjutors, took their last vows in the domestic chapel. Father William Kehoe from Osage Mission came. He wanted to be present at the public recital of the vows of his brothers, but came too late.

August 21:  
Again the locusts are appearing in Nebraska and around the town of Hayes where they are devouring the countryside. Many of the Pottawatomies are in extreme poverty, both by drunkenness on one hand, and laziness on the other, but they are preparing to migrate to the region in the south watered by the Canadian river.<sup>231</sup>

August 27:  
The scholastics J. Wier and N. Schlechter arrived with one boarder.<sup>232</sup>

September 5:  
Sunday. There are nineteen boarders.

September 6:  
Twenty-three students. The beginning of school, but only formally.

September 7:  
There are forty-two boarders.

September 8:  
There are forty-six boarders. The three-year old bulls were sold, each for the price of \$55.00—thus we totaled \$255—better than the ordinary price.

September 9:  
There are forty-seven boarders.

September 10:  
There are forty-eight boarders.

September 13:  
There are fifty boarders.

September 15:  
There are fifty-four boarders.

September 16:  
There are fifty-six boarders.

September 17:  
There are fifty-seven boarders.

September 21:

One of the students went home. Father Kuppens begins his eight-day retreat.

September 23:

Father Roess arrived with a student from St. Charles.<sup>233</sup>

September 24:

Solemn High Mass of the Holy Spirit. The Indians, Sinuas, Joseph Bertrand, Nakise Paskani, Louis Willenot, Joseph Mosepenet, Nachnkuk, migrated to the Canadian river with their families.<sup>234</sup>

October 4:

Father Superior hastened to Leavenworth to the diocesan synod. Father Roes returned to St. Charles.

October 5:

Two students have arrived, hence, the number is now fifty-nine.

October 7:

Another student arrived; the number of students is now sixty.

October 9:

Reverend Father Superior is going to Salina where he will be present at the dedication of the church. Father Lager arrived in order to take care of the parishes of Wamago, Rock Creek and Elbow.<sup>235</sup>

October 23:

Reverend Father Thomas O'Neil, Provincial, arrived and will make a visitation of the house.

October 29:

Father Henry Bengeest arrived from Cincinnati College. He will give the jubilee exercises in our parish.<sup>236</sup>

October 30:

The beginning of the Jubilee that will last for eight days. Each day two sermons will be preached, one at ten-thirty A.M. and the other at two P.M. On the thirty-first of October and on the first and second days of November, a solemn High Mass will be celebrated.

November 2:

There was a solemn High Mass. Today on the second of November, the boys and girls who have not yet received Holy Communion made their confessions and each received a holy picture.

November 4:

Reverend Father Provincial returned to St. Louis. He took with him Francis O'Neil, a student of our college, a candidate for the Society.<sup>237</sup>

The number of boarders is now sixty-five.

November 7:

The end of the mission at three P.M. The apostolic blessing was solemnly given.

November 8:

Father Bongeest returned to Cincinnati. Each day during the eight days there was a large group in the church. The time of the Jubilee. Today at five A.M. there was an earthquake. The town of St. Marys was shaken.<sup>238</sup>

November 18:

There are seventy boarders. We had a case of consciences today.<sup>239</sup>

December 1:

There are seventy-four boarders. PLernami and Mosepenet are migrating to the south.

December 8:

We had renovation of vows today. There was a solemn High Mass for the students in the church. There are seventy-five boarders.

December 12:

The number of boarders is seventy-six; they equal the number of last year.

December 14:

There are seventy-seven boarders. Eighteen pigs are butchered. This winter, Mass is not celebrated in the church, with the exception of Sundays and prescribed feast days.

December 25:

The Nativity of Our Lord Jesus Christ. No midnight Mass was celebrated, except in the convent of the Sisters of the Sacred Heart. There was Solemn High Mass both in the church and the domestic chapel. In the church is a true to life representation of the crib of Our Lord: sheep with shepherd, dogs guarding the flock, an ass and ox benignly warming the Divine Infant with their breath. Beside that many birds on the trees around about by their voice and attitude are greeting the Redeemer.<sup>240</sup> This helped the devotion of the people very much. There were many visitors at the crib and they seem never to do enough in the way of piety. During the time the students, just like last year, had literary contests and recreated among themselves. The number of boarders is seventy-eight.

# ST. MARYS

By Father Maurice Gailland

1875

<sup>223</sup> Father O'Connor describes in graphic details this event: "On Sunday the 14th. of February, 1875, the old Indian chapel gathered for the last time under the shelter of its weather beaten boards, a congregation to assist at the Holy Sacrifice. Mass was said that morning at six and eight o'clock in the old chapel. At ten o'clock the Blessed Sacrament was carried in procession from the old to the new Church, an immense conourse of people attending. Solemn High Mass with deacon and subdeacon followed and brought the ceremony to a fitting close.

The splendor of the solemn rites that ushered into service the new temple fell like a sunset glory on the old. The old Indian chapel of the Pottawatomie Mission had been the first procathedral west of the city of St. Louis. In its humble sanctuary for more than four years had stood the first episcopal throne whence jurisdiction stretched to the Rocky Mountains and the Canadian border. Silk and purple and pontifical fusions had graced this lowly shrine of Indian devotion. the dusky faces of Indian boys and maidens, befeathered chiefs and painted warriors and devout Indian mothers had gathered for more than a quarter century before the altar. Beneath its lowly roof Pottawatomie voices had resounded in the ancient hymns of the Catholic liturgy. There, followed the regenerating laver of a new spiritual birth; there, rested for a brief space and remains of the faithful children of the forest to receive the last blessings of Mother Church. For some years longer the chapel stood, in its decay a mournful symbol of a vanishing race. Nothing now remains of it except a mound of earth topped by a granite boulder, to mark the site where the remnants of once powerful tribe gathered to worship the God of nations." O'Connor, *op. cit.*, pp. 345-6.

<sup>224</sup> The practice of holding the retreat during the last three days of Holy Week was started the year before, 1874, and continued down until the closing of St. Mary's boarding school. *Ibid.*, pp. 353-364.

<sup>225</sup> The jubilee mentioned this entry was the Quarter Century Holy Year Jubilee.

<sup>226</sup> "The Corpus Christi procession of 1875 to implore heaven's protection for the crops and avert impoverishment, was a memorable one. On the Sunday preceding the feast the farmers had been requested to come in their wagons, and reserve seats for the townpeople, as the line of procession would include a distance of some ten miles and it would be impossible to make it on foot. One of the altars for Benediction was erected to the west of the city on a high point of ground north of Phillip Reilly's farm, about three miles from the college, a third altar was located at the old gate of the graveyard; and a fourth on the high bluff near Bourbonnais Creek, overlooking the Kaw valley....Father Francis Kuppens, the pastor was the chief marshal of the occasion. First rode the Indian Chief M. Kemda, bearing aloft the silver processional cross; six attendants on horseback formed his escort. Following these came a wagon drawn by six horses and occupied by the members of the College band. In similar conveyances rode the acolytes and the church choir. Immediately next in order, drawn by eight magnificent white horses, came an open carriage in which was the celebrant holding aloft the Blessed Sacrament. Two attendants with processional lanterns rode on each side of the carriage, while six little boys on white ponies formed a guard of honor. The wagons fell into line, three and four abreast. The College band played a sacred march, the choir chanted the "O Salutaris" and the procession started westward through the village streets." O'Connor, *op. cit.*, pp. 347-5.

<sup>227</sup> Alma is located in Wabaunsee County, Alma Township: Section 11, Township 12S, Range 10E. Official State Atlas of Kansas for 1887, *op. cit.*, p. 113.

<sup>228</sup> These men were neighbors of the Fathers at St. Mary's College. Through courtesy of Mr. Erle S. Francis, Attorney-at-law, Topeka, Kansas, the location of three of these farms is made known to us.

"The Michael Sweeney farm is located about two miles due south of St. Mary's. This farm now contains a number of acres and I believe the original house is still standing. The 1903 flood left the old river bed one-half mile south of St. Mary's and out a new channel just north of this farm house.

"The Ronneau (Father Gailland misspelled this name) was located approximately four or four and a half miles south of St. Mary's. The Pete Redding farm was located about three-fourths of a mile east of the Ronneau farm."

<sup>229</sup> Before this date the boys went home unaccompanied. But from this period on to the close of the school it became the fixed custom for one or more of the faculty to accompany the boys homeward bound for the summer vacation. The two scholastics who sent along with Father Rector at this time were Messrs. Daniel McErlane and James Weir. O'Connor, *op. cit.*, p. 361.

<sup>230</sup> Father Henry Schaapman was born in Holland, but educated in St. Louis. In 1856, the Master of Novices, Father Gleizal, wrote of Henry Schaapman: "Though born in Holland, he speaks English with the facility of an American." Garraghan, *op. cit.*, I, 658.

<sup>231</sup> The Canadian River runs through the whole state of Oklahoma and the Indian Territory. The head waters of this river in Beaver Creek. Atlas of the World (Rand, McNally and Co., 1899), p. 84.

<sup>232</sup> Nocholas Schlechter laboured at Westphalia first as assistant and then as pastor. He is remembered for his exceedingly great charity to the poor; particularly the German immigrants. Garraghan, *op. cit.*, III, 538.

<sup>233</sup> Father J. Ross, S. J., is listed Sadlier's Catholic Directory as residing at St. Charles Church, St. Charles, Missouri.

<sup>234</sup> Sinuas was the son of P. LeClerc. Cf. *Records of First Communions and Confirmations—1851-1887*, p. 6.

<sup>235</sup> Joseph Bertrand was a mixed blood Potawatomi. He was a guide and friend of Father Gailland in the early days of the

## Diary Of The Potawatomie Mission Of St. Marys On The Lake

— footnotes —

mission.

Louis Willenet's name appears in the *Records of First Communion and Confirmations—1851-1887*. In 1854 he is listed as the father of Archange who was being confirmed at that time.

In the *Records of First Communions, Records 1851-1887*, p. 13, the following entry: "April 10, 1859, Joseph (son of Moseponet) confirmed by Bishop J. B. Miege."

<sup>235</sup> Father Lager was stationed at St. Joseph's Church, Rock Creek, Kansas. Sadlier, *op. cit.*, 1875, p. 362.

Wamego is located in Pottawatomie County, Wamago Township, Section 4, Township 10S, Range 10E. Official State Atlas of Kansas for 1887, *op. cit.*, p. 109.

Rock Creek flows through the southeastern part of Pottawatomie County in Louisville Township. The parish was near the creek. *Ibid.*, p. 108.

Elbow Creek flows through Blue Township in the southwestern corner of Pottawatomie County. *Ibid.*, p. 109.

<sup>236</sup> Father Henry Brongeest was one of the famous preachers on the mission band at this time. Later he became well known for his work among the colored people of Cincinnati, Ohio. Garraghan, *op. cit.*, II, 85, 95; III, 564.

<sup>237</sup> Francis O'Neil's home was in St. Marys, Kansas. He entered St. Mary's on September 1, 1871, and graduated in June of 1875. His name appeared on the roster of the St. Mary's sodality during these years.

<sup>238</sup> No damage was done to the college by this slight earthquake.

<sup>239</sup> "Causa Conscientia" or Case of Conscience is a practice among the Catholic Clergy of gathering periodically to discuss some phase of Moral Theology. Usually a situation involving some moral difficulty is presented and a solution to the problem is offered.

<sup>240</sup> This is the only entry in the diary in which Father Gailland allows himself this poetic outburst.

## Alcohol and drug abuse education booklets published

Three booklets designed to examine concepts developing in the war against alcohol and drug abuse among Native Americans, have been published by the Native American Development Corp. (NADC) and its cooperating organization, ARROW, Inc., both non-profit organizations controlled by American Indians.

Produced under a grant from the U.S. Department of Education, the booklets are part of the two organization's efforts to support Native American self-development projects. "We have been involved in working with tribal courts, and law and justice systems for many years," Robert Bennett, President of ARROW said. "We know very well the devastating effects of alcohol substance abuse on individuals and their families and communities."

*Blue Bay: A Tribal Approach to Fighting Alcohol and Drug Abuse* focuses on the idea that the best means for fighting alcohol abuse in a Native American

community is a means which has been developed by the community itself, in this case, the Blue Bay Healing Center of the Confederated Salish and Kootenai Tribes on the Flathead reservation in northwestern Montana. The 16-page booklet looks at the process by which Blue Bay was designed and operates and how the two tribes see the problem of alcohol abuse on their reservation. A step-by-step outline summary of the Blue Bay approach is presented.

*Positive Self-Esteem Can Protect Native American Youth* is a 24-page booklet that explores the idea that substance abuse risks faced by Indian youth can be lowered if the youngsters' self-esteem can be increased and if the source of this esteem carries with it sanctions discouraging alcohol and substance abuse. Programs are described to help build and increase this self-esteem through substance-free activities.

The third booklet, *Post-Traumatic*

*Stress: What Some Indian Youth and Vietnam Veterans Have in Common*, is based on the premise that there are certain traumatic stress factors within some Native American youngsters' environments that make these youth more than normally susceptible to alcohol and substance abuse. The recent history of Native American tribes is traced to show

that many Indian young people today may be caught up in an increasing and accelerating spiral of pain and despair fueled by many generations of post-traumatic stress.

Information on obtaining these booklets can be obtained from NADA, 1000 Connecticut Ave., NW, Suite 1206, Washington, DC 20036. (202) 296-0685.

## Oh, the days of cowboys and Indians!

(From *The Denison (Texas) Sunday Gazatteer*, Sunday, Dec. 20, 1891)

It seems the Indians have caught the infection and taken to the highway for raising the wind. A dispatch from Gainesville of the 16th says: "Tuesday last while Deputy Marshal Tom Rowe and Miss Eugene Bennett were horseback riding near Tecumseh they were held up by two Pottawatomie Indians, who commanded the officer to give up his money. Upon his refusal to do so one of the highwaymen struck him over the head with a sixshooter fracturing the officer's skull, but in the meantime the officer had drawn his pistol, and as he fell from his horse opened fire on the Indians, killing one of them instantly. The other robber, seeing his pal's fate, fled and is at large."

# ..... A Family History: Bourassa and Curly .....

(This article on family history was prepared by Mary Farrell, Tribal Rolls Director, using information compiled by Pat Brollier.)

Elizabeth Curley, daughter of Antwain Curley Head and Keep kut quah, married Joseph N. Bourassa, oldest of 12 children born to Daniel Bourassa II and Theotis Pisange. Of this marriage, one son was born, Joseph N. Bourassa Jr.

Joseph N. Bourassa Sr. was a well-known Potawatomi, educated at Choctaw Academy in Kentucky, Carey Mission in Michigan, taught English in the 1840s at Sugar Creek Mission, was interpreter for the Potawatomis and his signature is on many treaties.

Joseph N. Bourassa Jr. married Addie J. McCleary and seven children were born: Ruth, Floyd, Andrew, Laura, Josephine, Elizabeth and Dallas Bourassa. Pat Brollier is the daughter of Laura Bourassa Maisch. Pat and her sister Betty have been researching Joseph N. Bourassa Sr. and Elizabeth Curley and have sent Tribal Rolls their family tree.

After the death of Joseph N. Bourassa, Elizabeth married Achan Pappan, son of Joseph Pappan and Josephine Gonville. The Pappans are descendants of Louis Pappan, a Canadian Frenchman, and Julie Gonville Pappan. Julie Gonville Pappan's grandfather was White Plume, chief of the Kansas Indians and her grandmother was the daughter of Pawhuska. The oldest

daughter of White Plume married Louis Gonvil and, after her death, Louis Gonvil married the second daughter of White Plume and as a result of this marriage, Julie Gonvil was born. Julie Gonvil married Louis Pappan who had been sent to trade with the Indians of the Plains by the American Fur Company. His people originally came from the north of France and from there they moved to St. Louis.

Julie and Louis Pappan's oldest daughter Helene married Oran Curtis and of this marriage was born Charles Curtis, who was Vice President of the United States under Herbert Hoover, the 31st

President of the United States.

Peter Curley, brother of Elizabeth Curley Bourassa Pappan, married Mary McDowell, daughter of Joseph N. Bourassa Sr. Of this marriage, nine children were born: Rosa, Isaac, Joseph, Martha, John, Tilda, Charles and Alex. After the death of Mary McDowell, Peter Curley married Birdie Cunningham and three children were born: Sophia, Lizzie and Joseph Curley, Jr.

Elizabeth Curley Bourassa Pappan, Joseph N. Bourassa Jr. and Peter Curley were all Citizen Band Potawatomi allottees.

There is on file in the tribal archives a letter to S. L. Patrick, U. S. Indian Agent, Sac and Fox Agency, Oklahoma Territory,

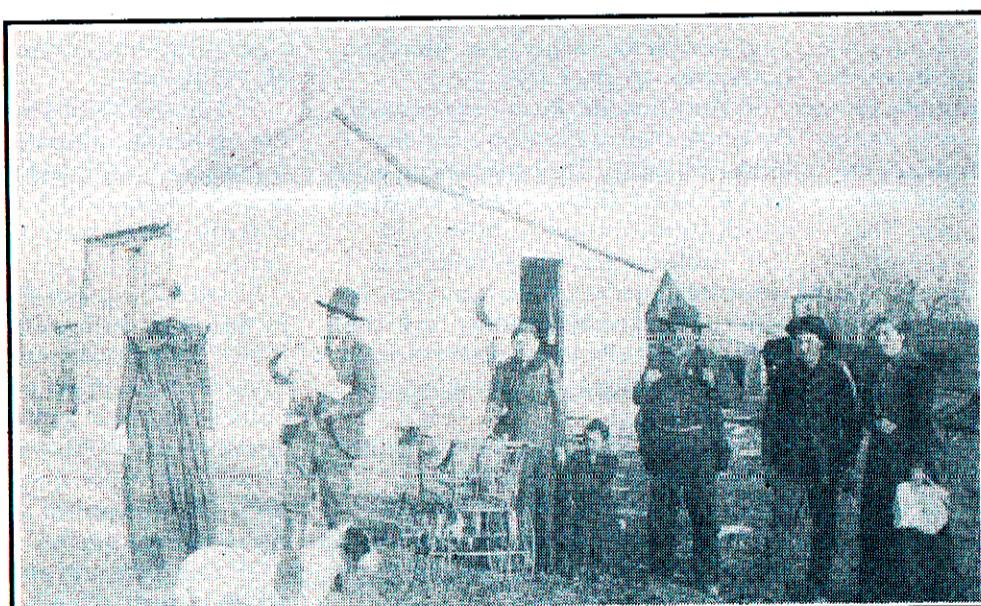
dated September 24, 1890, requesting an investigation of a letter from Accan Pappan claiming to be a Kaw Indian, asking to be restored to his rights in the Kaw Tribe. There is also a letter dated Jan., 1891, from N. S. Foster, Special Agent, referring to Accan Pappan, stating that they are numbered from 1506 to 1512 on the Gardner roll including Mr. Pappan's stepson, Joseph Bourassa, no. 1508. They are listed 1506 Etienne Pappan

49; 1507 Ses up pe(Elizabeth) 32, wife; 1508 Joseph Bourassa 13, stepson; 1509 Edwin Pappan 8, son; 1510 Mitchell Pappan 3, son; 1511 Charley Pappan, 3, son; 1512 Mode Pappan 1, son

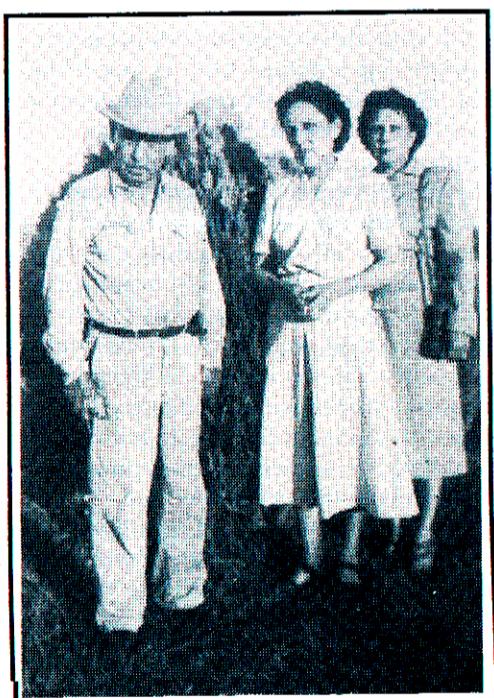
Col. S. A. Patrick, U.S. Indian Agent, Sac and Fox Agency, O.T. requested information as to whether they were all allotted land in Oklahoma, of which only Elizabeth and Joseph Bourassa, Jr. were listed as CP 1238 and 1239.



Ogeal, Dadie, Betty & Gerald



Center of picture: Elizabeth Pappan, Dadie Pappan and Achad Pappan; rest unknown.



Joseph, Ruth and Elizabeth



Left to right: Cousin Rosannie, Grandma Elizabeth, Aunt Margaret

**Roseannie Cooper,  
Daughter of  
Margarett Curley James**

**Elizabeth Curley  
Bourassa Pappan**

**Margaret  
Curley James**

# Law imposes penalties for misrepresenting Indian goods

A new law signed in late November by President Bush will impose steep civil and criminal penalties for artists or business misrepresenting goods as being produced by Indians when they are not.

The bill is known as Public Law 101-644, created by U.S. House Bill 2006.

Individuals can be fined up to \$250,000 and imprisoned five years for a first offense. Groups or businesses can be fined up to \$1 million; for the first offense. Here is the text of the new law:

## AN ACT

To expand the powers of the Indian Arts and Crafts Board for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

## TITLE I - INDIAN ARTS AND CRAFTS

### SEC. 101. SHORT TITLE.

This title may be cited as the "Indian Arts and Crafts Act of 1990".

### SEC. 102. POWERS OF INDIAN ARTS AND CRAFTS BOARD.

Section 2 of the Act entitled "An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes: (25 USC 305a) is amended—

#### (1) in the first sentence—

(A) by striking "the Board" and inserting the Secretary of the Interior through the Board"; and

(B) by striking "the Indian wards of the Government" and inserting "Indian individuals";

(2) by amending clause (g) to read as follows:

"(g) (1) to create for the Board, or for an individual Indian or Indian tribe or Indian arts and crafts organization, trademarks of genuineness and quality for Indian products and the products of an individual Indian or particular Indian tribe or Indian arts and crafts organization; (2) to establish standards and regulations for the use of Government-owned trademarks by corporations, associations, or individuals, and to charge for such use under such licenses; (3) to register any such trademark owned by the Government in the United States Patent and Trademark Office without charge and assign it and the goodwill associated with it to an individual Indian or Indian tribe without charge; and (4) to pursue or defend in the courts any appeal or proceeding with respect to any final determination of that office; and

(3) by adding at the end the following new sentence: "For the purposes of this section, the term 'Indian arts and crafts organization' means any legally established arts and crafts marketing organization composed of members of Indian tribes".

### SEC. 103. REFERRAL FOR CRIMINAL AND CIVIL VIOLATIONS

The Act entitled "An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes" (25 USC 305 et seq.) is amended by adding at the end of the following:

"Sec. 5. (a) The Board may receive complaints of violation of section 1159 of title 18, United States Code, and refer complaints of such violations to the Federal Bureau of Investigation for appropriate investigation. After reviewing the investigation report, the Board may recommend to the Attorney General of the United States that criminal proceedings be instituted under that section.

(b) The Board may recommend that

the Secretary of the Interior refer the matter to the Attorney General for civil action under section 6."

### SEC. 104. CRIMINAL PENALTY FOR MISREPRESENTATION OF INDIAN PRODUCED GOODS AND PRODUCTS

(a) In General—Section 1159 of title 18, United States Code, is amended to read as follows:

#### 1159. Misrepresentation of Indian produced goods and products

"(a) It is unlawful to offer or display for sale or sell any good, with or without a Government trademark, in a manner that falsely suggests it is Indian produced, an Indian tribe or Indian arts and crafts organization, resident within the United States.

"(b) Whoever knowingly violates subsection (a) shall

"(1) in the case of subsequent violations, if an individual, be fined not more than \$1,000,000 or imprisoned not more than fifteen years, or both, and if a person other than an individual, be fined not more than \$5,000,000.

"(c) As used in this section—

"(1) the term 'Indian' means any individual who is a member of an Indian tribe, or for the purposes of this section is certified as an Indian artisan by an Indian tribe;

"(2) the terms 'Indian product' and 'product of a particular Indian tribe or Indian arts and crafts organization' has the meaning given such term in regulations which may be promulgated by the Secretary of the Interior;

"(3) the term 'Indian tribe' means—

"(A) any Indian tribe, band, nation, Alaska Native village, or other organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; or

"(B) any Indian group that has been formally recognized as an Indian tribe by a State legislature or by a State commission or similar organization legislatively vested with State tribal recognition authority; and

"(4) the term 'Indian arts and crafts organization' means any legally established arts and crafts marketing organization composed of members of Indian tribes.

"(d) In the event that any provision of this section is held invalid, it is the intent of Congress that the remaining provisions of this section shall continue in full force and effect."

#### (b) CONFORMING AMENDMENT—

The item relating to section 1159 in the table of sections for Chapter 53 of title 18, United States Code is amended to read as follows:

#### 1159. Misrepresentation of Indian produced goods and products."

### SEC. 105. CAUSE OF ACTION FOR MISREPRESENTATION OF INDIAN PRODUCED GOODS AND PRODUCTS

The Act entitled "An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes" (25 USC 305 et seq.) (as amended by section 3) is further amended by adding at the end of the following:

SEC. 6. (a) A person specified in subsection (c) may, in a civil action in a court of competent jurisdiction, bring an action against a person who offers or displays for sale or sells a good, with or without a Government trademark, in a

manner that falsely suggests it is Indian produced, an Indian product, or the product of a particular Indian or Indian tribe or Indian arts and crafts organization, resident within the United States, to—

"(1) obtain injunctive or other equitable relief; and

"(2) recover the greater of—

"(A) treble damages; or

"(B) in the case of each aggrieved individual Indian, Indian tribe, or Indian arts and crafts organization, not less than 41,000 for each day on which the offer or display for sale or sales continues.

"(b) In addition to the relief specified in subsection (a), the court may award punitive damages and the costs of suit and reasonable attorney's fee.

"(c) (1) A civil action under subsection (a) may be commenced—

"(A) by the Attorney General of the United States upon request of the Secretary of the Interior on behalf of an Indian who is a member of an Indian tribe or on behalf of an Indian tribe or Indian arts and crafts organization; or

"(B) by an Indian tribe on behalf of itself, an Indian who is a member of the tribe, or on behalf of an Indian arts and crafts organization.

"(2) Any amount recovered pursuant to this section shall be paid to the individual Indian, Indian tribe, or Indian arts and crafts organization, except that—

"(A) in the case of paragraph (1) (A), the Attorney General may deduct from the amount recovered the amount for the costs of suit and reasonable attorney's fees awarded pursuant to subsection (b) and deposit the amount of such costs and fees as a reimbursement credited to appropriations currently available to the Attorney General at the time of receipt of the amount recovered; and

"(B) in the case of paragraph (1) (B), the amount recovered for the costs of suit and reasonable attorney's fees pursuant to subsection (b) may be deducted from the total amount awarded under subsection (a) (2).

"(d) As used in this section—

"(1) the term 'Indian' means any individual who is a member of an Indian tribe, or for the purposes of this section is certified as an Indian artisan by an Indian tribe;

"(2) the terms 'Indian product' and 'product of a particular Indian tribe or Indian arts and crafts organization' has

the meaning given such term in regulations which may be promulgated by the Secretary of the Interior;

"(3) the term 'Indian tribe' means—

"(A) any Indian tribe, band, nation, Alaska Native village, or other organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; or

"(B) any Indian group that has been formally recognized as an Indian tribe by a State legislature or by a State commission or similar organization legislatively vested with State tribal recognition authority; and

"(4) the term 'Indian arts and crafts organization' means any legally established arts and crafts marketing organization composed of members of Indian tribes.

"(e) In the event that any provision of this section is held invalid, it is the intent of Congress that the remaining provision of this section shall continue in full force and effect."

### SEC. 106. PENALTY FOR COUNTERFEITING INDIAN ARTS AND CRAFTS BOARD TRADEMARK

Section 1158 of title 18, United States Code, is amended by striking "be fined not more than 4500 or imprisoned not more than six months, or both; and" and inserting "(1) in the case of a first violation, if an individual, be fined not more than \$250,000 or imprisoned not more than five years, or both, and if a person other than an individual, be fined not more than \$1,000,000; and (2) in the case of subsequent violations, if an individual, be fined not more than \$1,000,000 or imprisoned not more than fifteen years, or both, and, if a person other than an individual, be fined not more than \$5,000,000, and (3)".

### SEC. 107. CERTIFICATION OF INDIAN ARTISANS

For the purpose of section 1159 of title 18, United States Code, and section 6 of the Act entitled "An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes: (25 USC 305 et seq.) an Indian tribe may not impose a fee in certifying an individual as an Indian artisan. For the purposes of this section, the term "Indian tribe" has the same meaning given such term in section 1159 (c) (3) of title 18, United States Code.

## Have a story for the HowNiKan?

Turn information in to Mary Farrell, Tribal Rolls by the 10th of the Month.

Photos and announcements are welcome.

Help us put out a good tribal newspaper!

# HOWNIKAN

PEOPLE OF THE FIRE

The HowNiKan is published by the Citizen Band Potawatomi Tribe with offices at 1901 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

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## Federal court judge says state can't control tribe's beer sales

The Citizen Band Potawatomi Tribe won a significant victory in federal court June 27 when U.S. District Judge Lee R. West ruled that the Oklahoma Tax Commission has no jurisdiction over 3.2 beer sold at the Tribal Store and at Fire Lake Golf Course.

The case turned on the question of whether beer with not more than 3.2 percent alcohol by weight is an "intoxicating beverage."

In granting a summary judgment and a permanent injunction to the tribe, Judge West in effect said the state can't have it both ways. He noted that the Oklahoma legislature and the Oklahoma Constitution define 3.2 beer as "non-intoxicating" and rejected a Tax Commission request that he declare it intoxicating for the purposes of the suit which was before him.

"This court cannot ignore legislative definitions," wrote Judge West in a 10-page ruling. "Where the language of a statute is plain and unambiguous, such language is accorded the meaning as expressed by the language employed therein."

"The Oklahoma legislature has declared beverages containing not more than three and two-tenths percent alcohol by weight to be nonintoxicating. This distinction is reflected in the Oklahoma Constitution as well ... Under these circumstances, the court is not free to devise its own definition or to employ one suggested by a party litigant."

West said the court "likewise declines the commission's invitation to recognize these beverages as intoxicants in light of such statutory definitions." The commission had argued that the state's definition was "a misnomer."

Tribal attorney Michael Minnis announced the decision at the tribe's annual general council Saturday, June 29. Tribal chairman John A. Barrett hailed the ruling and said it represents "an important victory in the long line of harassment against our tribe by the Oklahoma Tax Commission." The commission also has tried to assess cigarette taxes against the Tribal Store and once attempted to assess what it said were \$2.6 million in back taxes against Barrett personally.

The tribe sued in this case after the commission tried to get it to obtain state permits and pay state taxes on 3.2 beer sold for both on-premises and off-premises consumption at the Tribal Store at the corner of Gordon Cooper and Hardesty Road and at the golf course across the street from the store. Judge West noted in his decision that the tribe itself regulates the sale of 3.2 beer "through ordinances adopted by the tribe and approved by the secretary of the interior. Consistent with these ordinances, the tribe has issued current alcoholic beverage retailer permits to the tribal store and the golf course."

On Jan. 16, 1990, the commission notified Oklahoma Wholesales, including Tirey Distributing Co. of Shawnee and Bryson, Inc. of Oklahoma City and Tecumseh, which supply 3.2 beer to the store and golf course, that it was "unlawful to sell beer to any person or entity who is not properly licensed by the state of Oklahoma." On Jan. 30 of last year, the two distributors notified the tribe that they would no longer sell 3.2 beer to the store and golf course unless the tribe obtained the permits and paid the state taxes. The tribe sued on Feb. 9, 1990, and was granted a temporary injunction.

The Tax Commission based its case on a U.S. Supreme Court ruling which held that California could regulate sales of liquor on tribal land.



JTPA summer youth workers helped serve the free meal before the powwow Saturday night

## Potawatomi Days

"Trail of Prayers," recently took top honors in the 24th annual O'Odham Tash Art Show in Casa Grande, Arizona. The Colorado artist, a tribal member, said he was presenting the piece to the tribe and dedicating it to them. It is on display in the tribal museum and art gallery.

Tribal member George Godfrey of Oak Grove, Illinois, spoke briefly about the re-enactment of the Trail of Death

planned in his home state. He said that memorial markers will be dedicated Oct. 5 and invited tribal members to participate.

No concerns were raised during the question and answer session at the end of the council meeting, but several tribal members rose to thank the tribe for helping them in one way or the other. One lady said she is 68 years old and went back to college on a tribal scholarship.

Tribal administrator Bob Davis reported that attendance at Saturday night's session of the three-day powwow set a new attendance record. He estimated attendance at well over 2,000 people. Barrett announced at Sunday night's powwow conclusion that the tribe will go to a four-day format next year which will include exhibitions by nationally-known specialty dancers.

from page 1